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From: broadcast@doc.gov
Sent: Friday, December 20, 2002 1:00 PM
To: broadcast@doc.gov
Subject: PAY AND LEAVE GUIDANCE FOR DECEMBER 24, 2002

FOR: DOC-wide Distribution

This advises you that in accordance with the December 19, 2002, Presidential Executive Order entitled, Half-Day Closing of Executive Departments and Agencies of the Federal Government on Tuesday, December 24, 2002, executive branch departments and agencies will be closed and executive branch employees will be excused from duty for the last half of the scheduled workday on Tuesday, December 24, 2002. The "half-day holiday" means the last half of an employee's regularly scheduled tour of duty on December 24, 2002, and the following pay and leave guidance applies:

- o Employees on previously approved/scheduled annual leave (or any other form of paid leave, compensatory time, or credit hours) on the half-day holiday will not be charged personal leave for the half-day period. (This does not apply to employees receiving annual premium pay for standby duty under 5 U.S.C. 5545(c)(1) or to firefighters who are covered by the firefighter pay provisions enacted under Public Law 105-277.) Employees who have scheduled "use or lose" annual leave on December 24, 2002, and are unable to reschedule the leave for use before the end of the leave year (January 11, 2003), will forfeit the annual leave. There is no authority that permits restoration of leave forfeited under these conditions.

- o Full-time, part-time, and other eligible employees who are regularly scheduled to work on December 24 will receive the half-day off as a Federal holiday. Employees who are required to work on December 24 beyond the half-day period will receive holiday premium pay for non-overtime work which exceeds the half day.

- o Part-time employees are entitled to basic pay for the half-day holiday for half of the number of hours they are normally scheduled to work on December 24. They are not entitled to an "in lieu of" holiday when a holiday falls on a non-workday.

- o For full-time employees on a compressed alternative work schedule (AWS), when the holiday falls on a non-workday, the day to be treated as the "in-lieu-of" holiday is the workday immediately before the non-workday. These employees are entitled to administrative leave for half of the total number of non-overtime hours regularly scheduled for December 24.

- o Full-time employees on a flexible AWS, including those flexible schedules in which employees work more than eight (8) hours a day, are entitled to a maximum of four (4) hours of administrative leave for the half day holiday on December 24 and eight (8) hours for the Christmas Day holiday. Employees must account for the remaining 68 hours using regular time, approved personal leave, credit hours, compensatory time, or leave-without-pay.

- o Employees on LWOP pending disability, in receipt of Workers' Compensation, or on suspension may not be granted administrative leave for the half-day holiday and will remain in their current status.

- o In accordance with Title 5 U.S.C., §642 (effective December 21, 2000, Section 642 of the Treasury and General Government Appropriations Act,

2001, Public Law 106_554), employees on military leave are not to be charged military leave for holidays. This applies to the half-day holiday on December 24 and the Christmas Day holiday on December 25.

o Employees who receive annual premium pay for standby duty under 5 U.S.C. 5545(c)(1) or firefighters who are covered by the special pay provisions of 5 U.S.C. 5545b will receive their base pay for the holiday.

For further information, please contact your servicing human resources office.

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